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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/552,791	01/13/2006	Georg Springmann	SPRINGMANN, G ET AL.-1 (P)	4543
25889	7590	01/08/2009	EXAMINER	
COLLARD & ROE, P.C. 1077 NORTHERN BOULEVARD ROSLYN, NY 11576			HEWITT, JAMES M	
			ART UNIT	PAPER NUMBER
			3679	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/552,791	Applicant(s) SPRINGMANN ET AL.	
	Examiner JAMES M. HEWITT	Art Unit 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 8, 10, 12-13 is/are rejected.
- 7) ☒ Claim(s) 5-7,9 and 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/15/08</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

The abstract of the disclosure is objected to because line 1 includes the implied phrase "The invention relates to", line 3 includes the implied phrase "According to the invention", and line 6 includes the implied phrase "The inventive device". Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 12 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 12, the phrase "for example" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 8, 10 and 12-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Schulz (DE 197 52 336 C1).

With respect to claim 1, Schulz discloses a device having a sealing unit (16b), which can be fixed to the roller journal to couple it to the roller borehole in a pressure-tight manner; and a pillow block cover (covering pillow block 11), which can be fixed to the pillow block (11) in order to cover the roller bore (6) and which has at least one coolant duct (18a) being connectable to the coolant supply; whereby an insert (16a), which supports the sealing unit in the fitted state, is insertable into the pillow block cover; and whereby said insert, in order to couple the coolant duct via the sealing unit in a pressure-tight manner to the roller bore, is having at least one coolant duct (18b) which, in the fitted state, is coupled to the coolant duct (18a) in the pillow block cover and to the sealing unit.

With respect to claim 2, Schulz discloses a device as claimed in claim 1, whereby said sealing unit comprises an elastic sleeve (16b), which is fixed in a flange (16c) arranged in the roller journal.

With respect to claim 3, Schulz discloses a device as claimed in claim 2, whereby the sleeve is removably fixed in the flange.

With respect to claim 4, Schulz discloses a device as claimed in claim 2, whereby the insert is constructed in such a manner that, when it is removed, it exposes fastening means for removably attaching at least one of the sleeve and the flange to the roller journal.

With respect to claim 8, Schulz discloses a device as claimed in claim 1, whereby the pillow block cover is attached to the pillow block by means of a fastening collar (part of 11 - see Fig. 1).

With respect to claim 10, Schulz discloses a device as claimed in claim 1, whereby at least one screw stopper which can be screwed in is arranged in the at least one coolant duct of the pillow block cover (see Figs. 1 and 2)

With respect to claim 12, Schulz discloses a device as claimed in claim 1, whereby at least one bore through the pillow block cover is provided for removing cooling medium which has penetrated into the gap between the pillow block cover and pillow block, for example due to leakage of the sealing unit (see Fig. 1).

With respect to claim 13, Schulz discloses a device as claimed in claim 1, whereby the pillow block cover preferably has, in the region adjacent to the pillow block, an undercut region with a U-shaped cross section for receiving cooling medium which has penetrated into the gap between the pillow block cover and pillow block (see Fig. 1).

Allowable Subject Matter

Claims 5-7, 9 and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES M. HEWITT whose telephone number is (571)272-7084.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/James M Hewitt/
Primary Examiner, Art Unit 3679